

# 清華國際專利商標事務所

SEIKA INT' PATENT & TRADEMARK OFFICE

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IFW

Date: 9 August 2006

Examiner Lavinder, Jack W.

U.S. Patent and Trademark Office

Technology Center 3600

Art Unit 3677

Application/Control Number: 10/666,781/9010

Filing date: 09/22/2003 abandonment date: 06/13/2006

Tel: 703-308-3421, 703-306-4115 Fax: 571-273-8300

Dear Mr. Lavinder, Jack W:

The applicant received notice of abandonment dated 06/13/2006, it said that "a reply was received on 12/29/2006." In fact, the applicant faxed a reply on 12/22/2005 and then mailed the reply dated 12/29/2005. According to the Examiner's instruction, the applicant paid the required fee US\$ 60 petition for extension time for one month. Enclosed with the "notice of insufficient filing fees", the petition for extension of time under 37 CFR 1.136(a), and "Notice of Abandonment" for the Examiner's reference.

If allowable, the applicant hopes to revive the case as not have been abandoned, since this reply mailed to the USPTO dated 12/29/2005 not 2006, and the applicant have paid the extension time fee in first month according to the Examiner's instruction.

Best regards,

Sincerely Yours,

Tsaur, Chang-Wen

*Tsaur, Chang-Wen*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/666,781	9/22/03	Tsaur	

EXAMINER Laundry  
ART UNIT 3677 PAPER NUMBER \_\_\_\_\_  
DATE MAILED: 1/25/06

### NOTICE OF INSUFFICIENT FILING FEES

APPLICANT IS GIVEN 30 DAYS FROM THE DATE OF MAILING OF THIS NOTICE WITHIN WHICH TO SUBMIT THE BALANCE DUE. Extension of this thirty day period under 37 CFR §1.136(a) will not be permitted. Failure to respond within this period will result in the application being abandoned 35 USC §133.

The filing fees submitted in connection with this application are insufficient. See the attached Patent Application Fee Determination Record (Form PTO-875). The balance due for additional claims and/or multiple dependent claims is summarized below:

☐ A. Filing fees due upon filing the application

Total Fees Due \$ \_\_\_\_\_  
Less Fees Submitted \$ \_\_\_\_\_  
BALANCE DUE \$ \_\_\_\_\_

☒ B. Fees due in connection with the amendment filed on 12/29/05

Total Fees Due \$ 60.00  
Less Fees Submitted \$ \_\_\_\_\_  
BALANCE DUE \$ 60.00 extension of time

J. W. Wang  
Clerk of Group 3600

ATTACHMENT: FORM PTO-875

APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYMENT

Fee Submitted \$ 60

Signature \$ Chang-Wen Tsaur

CERTIFICATE OF MAILING

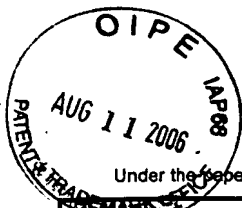
I hereby certify that this notice and the required additional fees are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington D.C. 20231, on (date) \_\_\_\_\_

Print name: \_\_\_\_\_

Signature \_\_\_\_\_

PTO-319

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

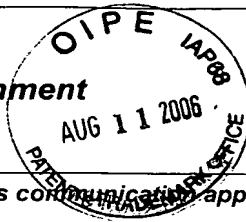
<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>		Docket Number (Optional) <b>BP3027-S11-P61</b>	
Application Number <b>10/666,781</b>		Filed <b>09/22/2003</b>	
For <b>extension of time</b>			
Art Unit <b>3677</b>		Examiner <b>Lavener, Jack W</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
		<u>Fee</u>	<u>Small Entity Fee</u>
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ <b>60</b>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <b>503459</b> . I have enclosed a duplicate copy of this sheet.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the <input checked="" type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
<input type="checkbox"/> attorney or agent of record. Registration Number _____			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
<u>Chang-Wen Tsaor Sallychang</u>		<u>02/16/2006</u>	
Signature		Date	
<b>Chang-Wen Tsaor</b>		<b>886-2-2789-3700</b>	
Typed or printed name		Telephone Number	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of **2** forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Notice of Abandonment**

Application No.

10/666,781

Examiner

Jack W. Lavinder

Applicant(s)

TSAUR, CHANG-WEN

Art Unit


3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 22 August 2005.
  - (a) ☒ A reply was received on 12/29/2006 (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of 1 month(s)) which expired on 22 December 2005.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Even if the proper extension of time was received, the proposed after final amendment would not have been entered because of the new issues being raised. Especially since independent claim 2 has not been included in the amendment.

  
Jack W. Lavinder  
Primary Examiner  
Art Unit: 3677

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.